

**From:** Harmon, Dale  
**To:** 'microsoft.atr(a)usdoj.gov'  
**Date:** 1/24/02 9:46am  
**Subject:** Microsoft Settlement

Sirs:

With respect to any proposed settlement, it is my observation (and the court's) that with respect to PC operating systems, Microsoft has an effective monopoly. As such the most recently released Microsoft operating systems only compete with previously released versions. Microsoft's pricing policy makes this apparent in that there is no discount or reduction in the price of older operating systems. My recommendation is that Microsoft be required to sell previous versions of the Windows operating system at a fixed discount relative to the price Microsoft sets for the most recently released Windows operating system. (I suggest 20%, 40%, & 60%.) Further, if Microsoft chooses to stop selling and/or supporting an older operating system, then that operating software should be considered to be in the "public domain."

In summary, first Microsoft should be required to sell older operating system software at a reduced price relative to the most recently released operating system software. Second, if Microsoft no longer wants to sell and/or support older software, then other individuals and/or companies should be able to freely copy and use that software.

Respectfully yours,  
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In support of my recommendation, I offer the following pricing obtained from "PriceWatch" and from Microsoft. My point is that Windows XP is priced lower than or the same as previous (older) versions with which it competes, (<<<<).

Windows XP Pro OEM (latest business OS) \$126 vs. Microsoft list \$299 <<<  
Windows 2000 Pro OEM (previous business OS) \$130 vs. Microsoft list \$319  
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Windows NT Workstation OEM (older business OS) \$34 vs. Microsoft list \$319

Windows XP Home OEM (latest home OS) \$78 vs. Microsoft list \$199 <<<  
Windows Millennium OEM (previous home OS) \$59 vs. Microsoft list \$209  
Windows 98 SE OEM (older home OS) \$79 vs. Microsoft \$209 <<<<  
Windows 98 1st E OEM (still older OS) \$62 vs. Microsoft: not offered anymore  
Windows 95 v2.5 OEM (still older OS) \$33 vs. Microsoft: not offered anymore

Windows 3.11 & DOS 6.22 (real old OS) \$112 vs. Microsoft: not offered  
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